IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

Bail Appl..No. 1799 of 2007()

CMP.464/2007 of J.M.F.C.-II, HARIPAD
C.R.NO.301/05 OF KARTHIKAPPALLY EXCISE RANGE

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: PETITIONER/2ND ACCUSED

KOCHUMON @ BIJU, S/O.SAHADEVAN,
EDAVANTHARA, CHINGOLI.

BY ADV. SRI.G.RAJEEVKUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1799 OF 2007

Dated this the 26th day of March, 2007

O R D E R

Petitioner, who is the 2nd accused in C.R.No.301/05 of Karthikappally Excise Range for an offence punishable under section 8 (2) of the Abkari Act for allegedly having been found in possession of 1.100 litres of rectified spirit and 1.100 litres of diluted arrack on 25.12.2005 and who was arrested on 6.3.2007, seeks his enlargement on bail.

2. Learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

(V. RAMKUMAR, JUDGE)

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